

1 Rule 33. Interrogatories to parties.

2 (a) Availability; procedures for use. Without leave of court or written stipulation, any
3 party may serve upon any other party written interrogatories, not exceeding 25 in
4 number including all discrete subparts, to be answered by the party served or, if the
5 party served is a public or private corporation, a partnership, an association, or a
6 governmental agency, by any officer or agent, who shall furnish such information as is
7 available to the party. Leave to serve additional interrogatories shall be granted to the
8 extent consistent with the principles of Rule 26(b)(2). Without leave of court or written
9 stipulation, interrogatories may not be served before the time specified in Rule 26(d).

10 (b) Answers and objections.

11 (b)(1) Each interrogatory shall be answered separately and fully in writing under
12 oath, unless it is objected to, in which event the objecting party shall state the reasons
13 for objection and shall answer to the extent the interrogatory is not objectionable.

14 (b)(2) The answers are to be signed by the person making them, and the objections
15 signed by the attorney making them.

16 (b)(3) The party upon whom the interrogatories have been served shall serve a copy
17 of the answers and objections, if any, within 30 days after the service of the
18 interrogatories. A shorter or longer time may be ordered by the court or, in the absence
19 of such an order, agreed to in writing by the parties subject to Rule 29.

20 (b)(4) All grounds for an objection to an interrogatory shall be stated with specificity.
21 Any ground not stated in a timely objection is waived unless the party's failure to object
22 is excused by the court for good cause shown.

23 (b)(5) The party submitting the interrogatories may move for an order under Rule
24 37(a) with respect to any objection to or other failure to answer an interrogatory.

25 (c) Scope; use at trial. Interrogatories may relate to any matters which can be
26 inquired into under Rule 26(b), and the answers may be used to the extent permitted by
27 the Rules of Evidence.

28 An interrogatory otherwise proper is not necessarily objectionable merely because
29 an answer to the interrogatory involves an opinion or contention that relates to fact or
30 the application of law to fact, but the court may order that such an interrogatory need

31 not be answered until after designated discovery has been completed or until a pretrial
32 conference or other later time.

33 (d) Option to produce business records. Where the answer to an interrogatory may
34 be derived or ascertained from the business records, including electronically stored
35 information, of the party upon whom the interrogatory has been served or from an
36 examination, audit, or inspection of such business records, including a compilation,
37 abstract, or summary thereof and the burden of deriving or ascertaining the answer is
38 substantially the same for the party serving the interrogatory as for the party served, it is
39 a sufficient answer to such interrogatory to specify the records from which the answer
40 may be derived or ascertained and to afford to the party serving the interrogatory
41 reasonable opportunity to examine, audit, or inspect such records and to make copies,
42 compilations, abstracts, or summaries. A specification shall be in sufficient detail to
43 permit the interrogating party to locate and to identify, as readily as can the party
44 served, the records from which the answer may be ascertained.

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